REMARKS

Status of Claims

The Office Action mailed December 23, 2008 has been reviewed and the comments therein were carefully considered. Claims 1, 3 – 14 and 16 are currently pending. Claims 1, 3 – 14 and 16 stand rejected. By this amendment, Claims 5 and 14 are amended.

Claim Rejections Under 35 U.S.C. 103

Claims 1, 3, 5, and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad et al, U.S. Patent No. 6,263,507, in view of Reynolds et al, U.S. Patent No. 6,563,515. This rejection is respectfully traversed.

Claim 1 has been amended to recite that within the window is an indication of the commercial, and that the displayed indication is modified to alert the user that the commercial has ended. Support for this subject matter may be found in Claim 5 and the specification, *inter alia*, on page 5 line 7 to page 6 line 7.

Ahmad does not teach or suggest this feature. The Office Action on page 3 states that Ahmad discloses:

> modifying the indication displayed to the user in the window region when the predetermined time length of the first television program segment is complete (Figure 2B, item 21 2 and column 16, lines 43-54; Ahmad disclose shading shows that have already been viewed a separate color, indicating that the user has finished viewing them, this is modified when the user has finished viewing the segment).

This is different from what is recited by Claim 1. Ahmad is describing a EPG browser system that allows a viewer to select programs to watch, and will cross-hatch or change the color of listed programs that the viewer has already watched. See Col. 16 lines 49-54.

Claim 1 is describing commercials, and when the user switches to view a second television program segment, an indication of the commercial is shown in a window. This indication is modified to alert the user when the commercial is over. The modification to the indication is performed because a commercial is over, not because the user has already viewed

any particular program. Whether the user has previously viewed the particular commercial already has no bearing on the invention as claimed. A modification to an indication is based on a predetermined time length, not based on any user interaction with television programs.

Regarding the rejection for Claim 5, the Office Action states that:

> With regard to claim 5, Ahmad further discloses that the segment may be an advertisement (column 16, lines 31 -35; Ahmad specifically describes that the segments may be an advertisement segment that is separated from another segment, for example a news story).

Applicants assert that the same argument with regard to Claim 1 applies. Nothing in Ahmad teaches or suggests that an indication for a commercial (or advertisement) is modified to alert a user that the commercial has ended.

Accordingly, Ahmad does not disclose this feature, and the other cited references, either alone or combined, do not make up for this deficiency. Applicant asserts that Claim 1 and all claims dependent upon it are allowable. Further, Claim 11 is amended to include similar subject matter, and Applicant asserts that Claim 11 and all claims that depend upon it are allowable.

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad in view of Reynolds, in further view of Alonso et al, U.S. Patent No. 6,184,878. This rejection is respectfully traversed. These claims depend from allowable parent claims, and are therefore allowable.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad in view of Reynolds, in further view of Alexander et al, U.S. Patent No. 6,177,931. This rejection is respectfully traversed.

On page 6, the Office Action notes that Ahmad fails to disclose a window region displaying thumbnail commercial related to the first commercial. The Office Action states:

> Alexander does disclose this feature (Figure 1, item 14 and column 3, lines 8-10; Alexander specifically discloses a small window (1/9th the screen size) that displays a commercial advertisement; furthermore in column 33, lines 25-43, Alexander describes that the thumbnail commercials displayed are related to the television video that was

previously played by the user of the program guide (i.e. a first television program segment).

Applicant asserts that this is not related to what is claimed. Alexander at the cited section discloses selecting commercial advertisements based on television programs the user has selected to view. Alexander is describing a system where commercials can be selected based on the program content of the selected television program. Claim 4 recites that a thumbnail commercial is displayed that is related to the commercial, which the user does not select for viewing. Accordingly, Claim 4 is allowable separate from its dependence on allowable parent claims.

Claims 6, and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad in view of Reynolds, in further view of Reynolds et al, U.S. Patent No. 6,934,963. Claim 11 has been modified to include allowable subject matter similar to Claim 1, and is allowable for the reasons presented above. The other claims depend upon allowable parent claims, and are therefore allowable.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmad in view of Reynolds, in further view of Reynolds, in further view of Alonso. This rejection is respectfully traversed. This claim depends from an allowable parent claim, and is therefore allowable.

Conclusion

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

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